

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

WILLIAM VICTOR,	)	
	)	
Plaintiff,	)	Civil Action No. 2:20-cv-286
	)	
vs.	)	
	)	District Judge Robert J. Colville
FAYETTE COUNTY, et al.,	)	Magistrate Judge Keith A. Pesto
	)	
Defendants.	)	

**ORDER OF COURT**

Currently pending before the Court is the March 8, 2022 Report and Recommendation (ECF No. 20) issued by Magistrate Judge Keith A. Pesto. Judge Pesto’s Report and Recommendation recommends that Plaintiff’s Amended Complaint (ECF No. 19) be dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B) without further leave to amend in this matter. Objections to Judge Pesto’s Report and Recommendation were due by March 25, 2022. No objections were filed, and this matter is ripe for disposition.

Objections to a magistrate judge’s disposition of a dispositive matter are subject to de novo review before the district judge. 28 U.S.C. § 636(b)(1)(B)-(C); Fed. R. Civ. P. 72(b)(3). The reviewing district court must make a de novo determination of those portions of the magistrate judge’s report and recommendation to which objections are made. *Id.* Following de novo review, “[t]he district judge may accept, reject, or modify the recommended disposition; receive further evidence; or return the matter to the magistrate judge with instructions.” Fed. R. Civ. P. 72(b)(3). The United States Court of Appeals for the Third Circuit has explained that, “even absent objections to the report and recommendation, a district court should ‘afford some level of review to dispositive legal issues raised by the report,’” and has “described this level of review as

‘reasoned consideration.’” *Equal Employment Opportunity Comm’n v. City of Long Branch*, 866 F.3d 93, 100 (3d Cir. 2017) (quoting *Henderson v. Carlson*, 812 F.2d 874, 878 (3d Cir. 1987)).

Upon reasoned consideration of Judge Pesto’s March 8, 2022 Report and Recommendation, and following a review of the record in this matter, it is hereby ORDERED as follows:

The Court hereby accepts and adopts Judge Pesto’s March 8, 2022 Report and Recommendation as the opinion of the Court with respect to the claims set forth in Plaintiff’s Amended Complaint. Plaintiff’s Amended Complaint is dismissed without further leave to amend in this matter. The Clerk of Court shall mark this case CLOSED.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if any party wishes to appeal from this Order, a notice of appeal, as provided in Fed. R. App. P. 3, must be filed with the Clerk of Court, United States District Court, at 700 Grant Street, Room 3110, Pittsburgh, PA 15219, within thirty (30) days.

BY THE COURT:

s/Robert J. Colville  
Robert J. Colville  
United States District Judge

DATED: May 5, 2022

cc/ecf:

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